



City of Broken Arrow

Minutes Planning Commission

City Hall
220 S 1st Street
Broken Arrow OK
74012

Chairperson Ricky Jones
Vice Chairperson Lee Whelpley
Commission Member Fred Dorrell
Commission Member Mark Jones
Commission Member Pablo Aguirre

Thursday, February 28, 2019

Time 5:00 p.m.

Council Chambers

1. Call to Order

Chairperson Ricky Jones called the meeting to order at approximately 5:00 p.m.

2. Roll Call

Present: 4 - Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones
Absent: 1 - Fred Dorrell

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

Planner II Jane Wyrick presented the Consent Agenda.

- A. 19-280 Approval of Planning Commission meeting minutes of February 14, 2019**
- B. 19-281 Approval of BAL-2049 (Lot Split), Broken Arrow Municipal Authority, 80.258 acres, one half mile north of New Orleans Street (101st Street), one half mile west of Evans Road (225th E. Avenue), south of the MK&T Railroad**
- C. 19-282 Approval of BAL-2050 (Lot Split), Aspen Creek Elementary Lot Split, 1 Lot, 78.44 acres, one-third mile west of Aspen Avenue (145th E. Avenue), north of Florence Street (111th Street)**

Ms. Wyrick indicated Staff recommended application of one additional condition to Item 4B and Item 4C: approval upon condition of completion of the underlying real estate transactions. She asked if the Items required a separate vote. Assistant City Attorney Tammy Ewing responded in the affirmative.

Chairperson Jones asked if the applicants were in agreement with the new condition. Ms. Wyrick responded in the affirmative.

Commissioner Aguirre asked why the lots were being split. Development Services Director Michael Skates responded the lot splits transferred property between the City and Broken Arrow Public Schools; the Schools wished to build Elementary Number 16, and the City wished to build a new park. Chairperson Jones explained when the lots were split the City would build a new park behind an existing elementary school, and the Schools would build a new elementary school on land owned by the City.

Chairperson Jones explained the Consent Agenda consisted of routine items, minor in nature, and was approved in its entirety with a single motion and a single vote, unless an item was to be removed for discussion. He stated Item 4B and Item 4C would be removed from the Consent Agenda. He asked if there were any items to be removed from the Consent Agenda; there were none.

MOTION: A motion was made by Mark Jones, seconded by Lee Whelpley.

Move to approve the Consent Agenda Item 4A

The motion carried by the following vote:

Aye: 4 - Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones

Chairperson Jones stated Item 4A would go before City Council on March 19, 2019 at 6:30 p.m. He explained if any individual desired to speak regarding this Item, said individual was required to fill out a Request to Appear before City Council form in advance.

5. Consideration of Items Removed from Consent Agenda

Chairperson Jones stated Item 4B was the first lot split Item. He opened the Public Hearing for Item 4B and asked if any present wished to speak regarding Item 4B. Seeing none, he closed the Public Hearing.

MOTION: A motion was made by Mark Jones, seconded by Pablo Aguirre.

Move to approve Item 4B per Staff recommendations on condition of completion of the underlying real estate transactions

The motion carried by the following vote:
Aye: 4 - Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones

Chairperson Jones stated Item 4C was the second lot split Item. He opened the Public Hearing for Item 4C and asked if any present wished to speak regarding Item 4C. Seeing none, he closed the Public Hearing.

MOTION: A motion was made by Pablo Aguirre, seconded by Lee Whelpley.

Move to approve Item 4C per Staff recommendations on condition of completion of the underlying real estate transactions

The motion carried by the following vote:
Aye: 4 - Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones

6. Public Hearings

A. 19-275 **Public hearing, consideration, and possible action regarding PUD-280A (Planned Unit Development), 11.79 acres and BAZ-2023 (Rezoning), 0.43 acres, The Villages at Seven Oaks South, A 1 to RS 4/PUD 280A, located one quarter mile east of 9th Street, south of New Orleans Street**

Senior Planner Brent Murphy reported this was a request as PUD 280A, along with rezoning request BAZ-2023. He stated the applicant requested to rezone 0.43 acres from A1 to RS-4, and the 0.43 acres would be a part of PUD-280A which contained 11.79 acres. He indicated with PUD-280A the applicant proposed to develop a private gated neighborhood with up to 49 lots. He reported on August 9, 2018 this Item came before Planning Commission and the Planning Commission requested the entrance to the development be relocated to off of 12th Street; the applicant complied. He reported there would be a total of 49 lots within the gated area with single family RS-3 type lots outside the gated area. He noted there would be an emergency access only entry off of Roanoke with a substreet to the west. He reported the property was Level 2 in the Comprehensive Plan; the rezoning and PUD-280A were in accordance with the Comprehensive Plan. He stated based on the Comprehensive Plan, location of the property and the surrounding land uses, Staff recommended PUD-280A and BAZ-2023 be approved subject to the property being platted. He stated the applicant was present.

Commissioner Mark Jones left the room for Item 6A and returned following the motion and vote.

Discussion ensued regarding the entrance location, where it was located before, where it had moved to, and where the emergency entrance was located.

The applicant, Alan Betchan, stated he was with AAB Engineering, 200 N. McKinley, Sand Springs. He reported the new layout was similar to the previous layout. He noted City Council required provision of a single point of access off of 12th Street for PUD approval; this was done. He explained in order to accommodate the change in entry access location the PUD needed to be amended to include the 0.43 acre parcel.

Commissioner Aguirre asked how many units were located within the gated community previously. Mr. Betchan responded approximately 47 units; the same number as were included currently.

Chairperson Jones opened the Public Hearing for Item 6A.

Mr. John Wheat stated his address was 1409 E. Phoenix Street, Broken Arrow. He stated he liked the new proposed organization of the gated community. He stated his home had a view of the pond and he asked if any construction would impede his view. Chairperson Jones stated he was unsure; the pond belonged to the developer. Mr. Wheat asked if the east pond would be a part of Seven Oaks or the new development. Chairperson Jones stated the applicant would answer these questions upon his return to the podium.

Chairperson Jones asked if any others present wished to speak regarding Item 6A. Seeing none, he closed the Public Hearing.

Mr. Betchan stated the reserve would be created as part of the new plat. He reported there was a detention easement over the entire pond which was constructed as part of the first phase of Seven Oaks South and provided a detention effort for the overall development. He stated usually as the reserves were platted the reserves became part of the communal space and maintenance became the responsibility of the HOA as a whole. He stated he was unsure if a fence would be installed around the pond.

Mr. Brent Murphy stated, for clarification purposes, the PUD indicated 49 units, not 47 units.

MOTION: A motion was made by Pablo Aguirre, seconded by Lee Whelpley.

Move to approve Item 6A per Staff recommendation

The motion carried by the following vote:
Aye: 3 - Pablo Aguirre, Lee Whelpley, Ricky Jones
Recused: 1 - Mark Jones

Chairperson Jones stated Item 6A would go before City Council on March 19, 2019 at 6:30 p.m. He explained if any individual desired to speak regarding Item 6A, said individual was required to fill out a Request to Appear before City Council form in advance.

7. Appeals

There were no Appeals.

8. General Commission Business

There was no General Commission Business.

9. Remarks, Inquiries and Comments by Planning Commission and Staff (No Action)

Mr. Brent Murphy introduced the new Project Engineer, Gary Fehnel. He stated he was happy to have Mr. Fehnel on board and looked forward to working with Mr. Fehnel in the future. Chairperson Jones welcomed Mr. Fehnel.

Special Project Manager Farhad Daroga stated on Wednesday March 6, 2019 a Public Hearing would be held regarding the Comprehensive Plan at 6:00 p.m. at Central on Main. He invited the Planning Commission to attend. He stated on Thursday March 7, 2019 the Steering Committee Meeting would be held at 6:00 p.m. at the Public Safety Complex. He invited the Planning Commission to attend. He indicated this would most likely be the final Steering Committee Meeting. He noted a Comprehensive Plan draft would be made available following the Meetings and he asked the Planning Commission to review the draft and make comments and suggestions. Vice Chairperson Whelpley noted the meetings were out of order; traditionally the Steering Committee Meeting was held prior to the Public Hearing. Mr. Daroga concurred. He indicated there were scheduling conflicts; also, the Steering Committee wished to hear the public comments prior to the Steering Committee Meeting to allow discussion of public comments during the Steering Committee Meeting.

10. Adjournment

The meeting adjourned at approximately 5:22 p.m.

MOTION: A motion was made by Mark Jones, seconded by Lee Whelpley.

Move to adjourn

The motion carried by the following vote:

Aye: 4 - Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones